



General Requirements	3
Registered engineer in charge.....	3
Reimbursable costs for engineering	3
Mitigation Costs	3
Utility and railroad adjustments and relocations.....	4
Under-grounding utilities	4
Traffic control devices.....	4
Project landscaping	4
Including sidewalks in TIB projects.....	5
Including bicycle facilities in TIB projects.....	5
TIB Sign Policy	5
Increase in TIB funds.....	6
Project Schedule.....	6
Emergent Nature Projects	7
Review of delayed projects.....	7
Recovery of TIB funds on canceled projects	8
Identification and consideration of surplus funds on authorized TIB projects	8
Record requirements	9
Audits of project records.....	9
Project Reimbursement.....	10
Partial or progress payments for project costs.....	10
Direct costs.....	10
Indirect costs.....	12
Expenditure schedule of TIB funds	12
Design Phase.....	13
Value engineering study requirements	13
Acquisition of rights of way	13
Design standards for TIB projects.....	14
Construction Phase.....	14
Standard Specifications.....	14
Prospectus submittal	14
Procedures for project approval.....	14
Methods of construction.....	15
Arterial Improvement Program	15
Priority criteria for Arterial Improvement Program projects	15
Establishing regions for Arterial Improvement Program.....	16
Apportionment of funds to Arterial Improvement Program regions	16
Eligible Arterial Improvement Program projects.....	16
Matching ratios for Arterial Improvement Program projects.....	17
Small City Program	17
Priority criteria for Small City Program projects	17
Establishing regions for Small City Program.....	17
Apportionment of funds to Small City Program regions	17
Eligible Small City Program projects.....	18
Matching requirements for Small City Program projects.....	18
Increases in Small City Program projects.....	18



City Hardship Assistance Program.....	18
Priority criteria.....	18
Eligible agencies or streets.....	18
Matching ratios	19
Allowable activities.....	19
City Hardship Assistance Program participation with other funds.....	19
Pedestrian Safety and Mobility Program	19
Priority criteria.....	19
Establishing regions for the Pedestrian Safety and Mobility Program.....	19
Apportionment of funds to Pedestrian Safety and Mobility Program regions.....	20
Eligible Pedestrian Safety and Mobility Program projects.....	20
Transportation Partnership Program	20
Priority criteria.....	20
Establishing regions for the Transportation Partnership Program	21
Apportionment of funds to Transportation Partnership Program regions	21
Eligible Transportation Partnership Program projects.....	21
Designation of lead agency	21
Verification of coordination with planning authority.....	22
Planning requirements for multi-agency projects.....	22
Local/private matching funds	22
Certification of local/private matching funds	22



General Requirements

Registered engineer in charge

All projects using TIB funds shall be planned, designed, and constructed under the supervision of a professional engineer registered in the state of Washington.

Reimbursable costs for engineering

Design and construction engineering costs eligible for reimbursement shall be limited to twenty-five percent of the approved contract bid amount including adjustments for change orders and actual quantity amounts during construction and agency force account construction. Agency costs for value engineering and other special studies and right of way appraisals and acquisition costs will not be used to determine the amount subject to the limit. The board may consider exceptions to the twenty-five percent engineering limit. For Small City Program and Small City Pedestrian Safety and Mobility projects the Director has been given authority to consider and approve eligible engineering as follows:

- Construction contract amount up to \$50,000 – 36.0%,
- Contract amount \$100,000 – 33.0%,
- Contract amount \$300,000 – 28.0%,
- Contract amount \$500,000 – 25.0%.

Eligible engineering costs between the above values shall be interpolated.

Mitigation Costs

The purpose of this policy is to allow mitigation costs to be reimbursed with TIB funds and to limit the impact of the cost of excessive mitigation or other unusual project features.

The lead agency will be required to identify any mitigation item(s) and its cost(s) at the application phase of the project. The lead agency shall certify that mitigation items do not exceed state and federal requirements as applicable.

Mitigation items may include:

1. Sound walls/berms: Sound walls/berms are eligible for reimbursement up to 50% of the construction costs of the walls/berms if the following conditions are met:
 - a. The need for sound walls/berms are substantiated by project parameters and verified by noise level studies using current state or federal standards.
 - b. The local agency has formally adopted policies regarding sound walls/berms and has implemented it on all transportation projects.
2. Wetland Mitigation: Mitigation work that is in excess of that which is required by state or federal requirements is not eligible for TIB funding.
3. Hazardous Material Cleanup: Super fund sites are not eligible for TIB funds; other sites may be reviewed on a case-by-case basis.
4. Complex Bridges: Project costs for bridge designs exceeding the most cost effective design are not eligible for TIB funds.



5. Earthquake design: Additional costs for bridges designed to withstand higher magnitude earthquakes than is required by state or federal requirements are not eligible for TIB funds.
6. Other unusual project features: Other project features as determined by the TIB staff to be of excessive costs will be reviewed by the Board prior to taking action on the project.

Utility and railroad adjustments and relocations

Utility and railroad adjustments and relocations may be performed by negotiated contract with the owner of those facilities. The administering agency shall review and approve a written statement that includes the items of work and an estimate of cost prepared by the utility or railroad for the work required as a result of the improvement. Updated statements of items of work and estimates of cost may be reviewed and approved by the administering agency. All costs of utility and railroad adjustments, as finally approved by the administering agency, shall be subject to audit.

Under-grounding utilities

TIB funds may be used in the actual, necessary costs of relocating utility or other service facilities resulting from an approved project when:

1. The local agency administering the project directly incurs such costs; or
2. The local agency administering the project is obligated by law or by previously established and documented policies and practices for such costs.

TIB funds may be used in the costs to underground service connections for street illumination and traffic signal services within the prescribed limits of the approved project.

The TIB funds used in the costs of relocating utility or other service facilities, other than service connections for street illumination and traffic signal services within the prescribed limits of the approved project, shall be further limited as follows:

1. Where a local agency requires that existing overhead facilities be placed underground, TIB funds shall be limited. The board considers this type of improvements to be aesthetic in nature as is landscaping, therefore, the cost involved in under-grounding the utility facilities, in excess of the estimated cost to relocate them overhead, will be included within the three percent allowance for landscaping costs.
2. If utility lines or other service facilities are already underground, TIB funds may be used in the costs of replacing such facilities on an underground basis.

Traffic control devices

Traffic control devices included in a participating project may be installed by employees and with equipment and materials of the local governmental units subject to the limits of RCW 35.22.620(3), 35.23.352(1), and 36.77.065(3). Provided, that the basis for payment of TIB funds is reimbursement of the appropriate portion of actual cost of such work.

Project landscaping

TIB funds may be used at the appropriate matching ratio in the cost of landscaping



within the project right of way to a maximum of three percent of the total authorized project costs. Provided, that requests for increases in the authorized amount of TIB funds to cover landscaping and related costs shall be considered jointly with other cost increases and approval of all such requests shall be limited to the amount authorized by WAC 479-05-250 to be approved by the director. Erosion control treatment shall not be considered a part of landscaping costs.

The three percent limitation for landscaping and related costs shall not affect the agency's authority to include landscaping and the use of other plantings or supporting materials in the project in amounts that exceed the three percent limit provided they are paid for solely with funds other than TIB supplied funds.

All costs for art or unusual architectural features or treatments are considered part of landscaping (e.g. an aesthetic amenity). All art must be on the project site to be eligible for TIB funding.

Including sidewalks in TIB projects

Recognizing the importance of sidewalks in the overall transportation plan, sidewalks are required on both sides of the roadway of all urban projects. Projects in the Pedestrian Safety and Mobility Program will only require sidewalks as specified in the project application.

Sidewalks are required on one side only on small city projects, except in areas where pedestrian traffic will be higher. Examples of higher pedestrian traffic areas are business districts and schools. The agency will be encouraged to construct sidewalks on both sides in these areas. Small city projects in the rehabilitation portion of the program may be exempt from the sidewalk requirement.

Sidewalks shall be a minimum of five feet in width, clear of any obstructions, and shall meet the requirements of the Americans with Disabilities Act. The maximum sidewalk width eligible for participation is eight feet, unless existing adjacent sidewalks are wider. Existing sidewalks may be utilized to satisfy the requirements of this policy.

Including bicycle facilities in TIB projects

If an eligible agency has a project funded by TIB funds that includes the construction of bicycle facilities, the agency shall submit its bikeway plan to the TIB in map form along with the agency's verification that the plan has been reviewed with, and approved by, the agency's legislative body.

The proposed bicycle facility shall be in accordance with definitions, criteria, and design standards shown in Chapter 1020 of the *Washington Department of Transportation Design Manual*.

TIB Sign Policy

The purpose of this policy is to identify to the public, projects that are funded in part with motor vehicle fuel tax or motor vehicle excise tax funds administered by the TIB.

Transportation improvement projects funded by the TIB shall include a suitable project sign that includes as a minimum the following information:

1. The name of the project
2. The lead agency name
3. The funding partners, and the funding provided by each partner



The sign shall be at least 4 feet by 8 feet in size, and shall be mounted near the beginning of the project. The funding sources and amounts shall be listed in 2-inch or larger lettering. If logos are used to identify funding partners, the logos shall be at least 4 inches in height. The TIB funds shall be identified as “State Fuel Tax” or “State Motor Vehicle Excise Tax” as appropriate.

If the lead agency has a standard sign design for its capital improvement projects, it may be used as long as the TIB funding information is provided.

Increase in TIB funds

The amount of funds approved will be based upon the amount requested at application. TIB fund increases are not approved at design phase. Local agencies may request an increase in funds at the construction phase, bid opening or contract completion of a project. Requests for increases in funds submitted to the TIB at bid award or contract completion shall take priority over design and construction phase approvals.

1. At the construction phase the director shall review all requests. The director shall report the findings to the board for its review, consideration and final action. The board shall not grant a request for increase at this phase if:
 - a. The requested increase is to pay for an expansion of the scope of the work that is beyond the work required to accomplish the intent of the project as approved at the design phase.
 - b. The granting of the request will obligate funding beyond the level acceptable to the board or will in any way adversely affect authorized funds previously approved by the board.
2. The Executive Director is given authority to authorize project funding if there has been no change in project scope and an increase in TIB funds through Contract Completion, if required, is less than:
 - a. AIP and TPP – fifteen percent or \$750,000
 - b. SCP - \$125,000
 - c. CHAP - \$75,000
 - d. PSMP in urban areas – no increase above the original amount
 - e. PSMP in small cities – any increase is subject to Director’s approval.All other projects will be presented to the Board for their review and approval.
3. If the director or the board, as the case may be, does not approve the request of a local agency for an increase, the local agency may:
 - a. Proceed with the project, paying for any additional costs with local or other funds; or
 - b. Withdraw the request for participation; or, if applicable
 - c. Within the authorized amount, and subject to approval by the director, reduce the scope of the project while retaining a usable and functional improvement.

Project Schedule

Urban projects selected after July 1, 2001 must receive Bid Award approval in:

- Transportation Partnership Program – 5.5 years
- Arterial Improvement Program – 4.5 years



Projects that do not receive Bid Award approval in the prescribed time will be required to seek Board approval for all increase requests.

Pedestrian Safety and Mobility project must be completed within two years of selection.

Emergent Nature Projects

An eligible agency may request the TIB to consider a project for participation in the TIB's current approved funding program as an emergent nature project pursuant to the provisions of RCW 47.26.080 and RCW 47.26.084. Applications must be submitted on those forms provided by the TIB during the last approved funding program.

A project will be considered by the Board under this rule when the need for the project has arisen unexpectedly because of new developments in the area since the local agency prepared its current six-year construction program and when the local agency can clearly demonstrate that this need could not have been anticipated at the time that program was developed.

The local agency shall present evidence to the Board concerning the emergent nature of the project and must demonstrate:

1. There has been a significant change in the location or development of traffic generators in the area of the project; and
2. The work proposed to be performed in the project is necessary to avoid or reduce serious traffic congestion in the area of the project in the near future; and
3. The significant increase in the need for the project defined in the project prospectus could not have been reasonably anticipated at the time the local agency's six-year construction program was prepared and submitted;

If the Board determines that the project is a significant component of the State's transportation system, the Board may waive any of the foregoing requirements.

Each application shall be accompanied by the most current available data relating to the priority rating factors specified by the Board. The Board shall evaluate projects proposed as emergent nature projects in relation to the priority array of projects developed during the last funding program. No project shall be considered for approval unless its priority is sufficiently high that the project would have been included in the Board's approved funding cycle if it had been available for rating at that time.

No project will be approved for participation as an emergent nature project if the funding of that project would adversely affect the construction of projects previously approved for participation by the Board. The TIB shall consider emergent nature projects at its regularly scheduled meetings, at which time the submitting agency will be given the opportunity to make a presentation.

Review of delayed projects

The director may contact, in writing, each local agency administering a TIB-funded project that appears to be delayed when evaluated in relation to the proposed schedule for project development. If the agency does not respond to the inquiry of the director within twenty days explaining why the project is delayed, it shall be placed before the board as a candidate for cancellation as a delayed project.

The written response from the administering agency shall be reviewed to determine if the reason or reasons for the project delay is acceptable. The local agency will be



advised by certified mail by the director if the reason for the delay is unacceptable reason. The letter from the director shall advise the local agency that:

1. The project is delayed for an unacceptable reason;
2. The local agency has a period of three months from the date of the director's letter to resolve the reason or reasons for delay and to provide evidence to the board that the problems have been resolved. Such evidence shall, if requested by the director, include a time schedule for project development which sets forth project development dates in sufficient detail to permit monthly monitoring of project progress;
3. If the reason or reasons for delay are not resolved within the specified time period, the project may be placed before the board as a candidate for cancellation.

The administering agency for any project placed before the board as a candidate for cancellation shall be requested to appear before the board to explain the status of the project.

Recovery of TIB funds on canceled projects

Project development costs incurred by an agency on behalf of an authorized project that is subsequently canceled at the request of the agency, or by the board, shall be eligible for participation by TIB funds if, in the opinion of the board, the agency has pursued the project's development in good faith with a reasonable expectation of completing the project: Provided, that in all projects where the total project cost exceeds the amount of authorized TIB funds plus local matching funds, TIB funds shall be recovered in sufficient amount that the percentage of non-recovered payments in relation to total project costs to the date of cancellation or withdrawal shall not exceed the percentage determined by dividing the total authorized amount of TIB funds by the most recently determined total project cost.

All TIB funds previously paid to an agency on behalf of an authorized project as a result of falsification, negligence, or deliberate misrepresentation on the part of the administering agency, in the opinion of the board, shall be repaid to the appropriate account, or a repayment agreement that is acceptable to the board shall be executed between the local agency and the board, within ninety days following cancellation of the specified project by request of the agency or by the board.

Identification and consideration of surplus funds on authorized TIB projects

When requested by the director, each project authorized for financial assistance from the local agency shall review their project to identify probable reductions in project cost in relation to the previously authorized amount of funds. The agency shall review the project to:

1. Close the project by submitting a final request for payment and summary cost documents if all work has been completed; or
2. Advise the board of total costs to date, remaining costs necessary to complete the project, and the amount of estimated surplus funds, if any, on the project.

Each response shall be reviewed by the director to determine whether the explanations appear reasonable and whether the agency appears to be pursuing the completion of the project at a reasonable rate. Any project where the agency does not



appear to be pursuing the project to completion at a reasonable rate, or fails to submit a final request for payment within six months from the date that all work appears to be complete, shall be referred by the director to the board for appropriate action.

Each agency administering a project that is not considered to be developing to completion at a reasonable rate, or fails to submit a final request for payment within six months when all physical work appears to be completed, shall be notified by the director by certified mail that the project is being scheduled for a hearing before the board at a specified time and place. The agency shall be requested to provide suitable representation to such board meeting to explain the status of the authorized project, the reasons why the project has not been completed and closed out, the amount of TIB funds estimated to be required to complete the project, and the resulting surplus in relation to previously authorized TIB funds.

Record requirements

All eligible agencies requesting payment of TIB funds on authorized projects shall have procedures in effect that will provide adequate assurance that payments requested are proper and accurate:

1. Quantities of complete construction contract work shall be supported by all related source documents upon which payment to the contractor is based. These source documents shall include, but shall not be limited to, tickets for items measured on a weight or volume basis, cross section notes, inspector's diaries, engineering calculations for items measured in place, material tests, shipping invoices for steel, and all other field records normally developed by field engineers to support final quantities paid to contractors. The quantity field record should be summarized so that final pay estimates would lend themselves to comparison with supporting records.
2. All right-of-way appraisal reports, record of negotiations with grantors including a negotiator's diary indicating dates of contracts, offers made, and final acceptance by grantor, title insurance documents, transfer documents such as warranty deeds, quit claim deeds, easements, contract and sale documents, shall be maintained.
3. Daily labor time records, equipment use records, requisitions for materials used, invoices for goods and services, and other invoices shall be maintained. Records shall also be maintained which support employee benefit percentages which are used in calculating amounts charged to construction projects.
4. All records shall be retained until notification from the TIB that a project audit is complete or is not required.

Audits of project records

Projects shall be audited in accordance with the policy adopted by the TIB. Project records for each project developed through the use of TIB funds may be audited to determine that funds paid can be attributed to the project and supported by project records. The audit will determine if there has been compliance with the rules of the TIB. Projects may be audited by the TIB at the time of the project completion or at such additional times as may be directed by the director.

The director may, where the cumulative amount of audit exceptions is less than five



hundred dollars in TIB funds, advise the agency that no recovery of funds is requested. Audit exceptions which the director considers to be significant in relation to TIB rules or significant in amount to warrant potential recovery of funds, shall be furnished to the local agency to allow an opportunity to respond in writing to the audit report. After reviewing the written response, the director shall advise the agency whether any recovery of funds is indicated. If recovery of TIB funds is indicated, as determined by the director, or by the Board, the local agency shall be provided ninety days from the date of the notice from the TIB to make repayment. If repayment of funds by the local agency is not made within ninety days from the date of the notice from the TIB, the subject shall be placed before the Board for review and action.

Project Reimbursement

Partial or progress payments for project costs

Participation and payment of TIB funds to agencies shall be governed by the following:

1. TIB participation. TIB funds shall not participate in any cost that is not incurred in conformity with all applicable federal and state law and the rules, regulations and procedures as may be prescribed by the board promulgated in conformity with the statutes.
2. Project acceptance. Projects for which TIB funds are requested by the eligible agencies and for which the TIB has allocated funds will be the subject of a project approval process. The local agency's participation in this process demonstrates acceptance of the conditions to payment of funds, as prescribed by laws and regulations, and the amount of funds to be obligated.
3. Changes in project work and cost. No material change in the termini, character, or scope of the work on an approved project shall be made without prior concurrence in such changes by the TIB.
4. Payments. Eligible agencies are to submit requests for payment of funds claimed to be due on approved projects. Such requests are to be on forms prescribed by the TIB. Supporting data may be required. Requests for payment may be submitted from time to time as the work progresses and final requests shall be signed and submitted within six months of contract completion. Payment of TIB funds shall at no time exceed the approved amount of the project costs incurred to the date of the payment request.
5. Compliance with laws and regulations. If an eligible agency fails to comply with laws and regulations with respect to a project, payment of funds may be withheld on such projects, or approval of additional projects may be withheld until compliance or remedial action has been accomplished by the eligible agency to the satisfaction of the TIB.
6. Costs incurred prior to phase approval shall be considered ineligible for TIB reimbursement.

Direct costs

Direct costs eligible for TIB participation are those costs which are directly attributable to a specific project and shall include:



1. Direct labor (engineering and/or construction) including related employee benefits:
 - a. Salaries and wages (at actual or average rates) covering productive labor hours of city and county employees (excluding the administrative organization of the operating unit involved) for periods of time, actively or incidentally engaged in:
 - i. Design engineering;
 - ii. Construction engineering;
 - iii. Acquisition of rights of way; and
 - iv. Actual construction activities are considered a direct cost of construction projects.
 - b. A maximum of 40% of employee benefits relating to direct labor are considered a direct cost of projects. Employee benefits shall be calculated as a percentage of direct labor dollars. The computation of predetermined percentage rates to be applied to current labor costs shall be based upon the average of total employee benefits and total labor costs for the prior fiscal year and adjusted by known current year variations. The following items may be included as employee benefits:
 - i. F.I.C.A. (Social Security) - employer's share;
 - ii. Retirement benefits;
 - iii. Hospital, health, dental and other welfare insurance;
 - iv. Life insurance;
 - v. Industrial and medical insurance;
 - vi. Vacation;
 - vii. Holiday;
 - viii. Sick leave;
 - ix. Military leave and jury duty.
2. Contract engineering services.
3. Right of way acquisition costs including:
 - a. Purchase of land and easements acquired for and devoted to the project;
 - b. Purchase of improvements;
 - c. Adjustment or reestablishment of improvements;
 - d. Salaries, expenses or fees of appraisers, negotiators and attorneys;
 - e. Removal or demolition of improvement;
 - f. Other direct costs in connection with the acquisition. Amounts received from the sale of excess real property or improvements and from any rentals shall be a reduction of the direct cost.
4. Contract construction work, and/or capital equipment acquisition approved by the TIB.
5. Direct vehicle and equipment charges at the actual rental cost paid for the equipment or, in the case of city or county owned equipment, at the rental rates established by the city's or county's "equipment rental and revolving fund" following the methods prescribed by the State Auditor; Provided, That such costs shall be charged on a uniform basis to equipment used for all projects regardless of the source of funding. Cities which may not use this type of fund shall be allowed the same rates as used by the department of transportation.
6. Direct materials and supplies. The cost of materials used in projects shall be



based upon methods prescribed for the "equipment rental and revolving fund" by the State Auditor.

- a. An overhead rate or "loading factor" shall not be considered an appropriate additive to the actual cost of materials and supplies used on construction projects unless the factor is readily and properly supportable by the governmental unit's accounting records.
 - b. The cost, or reasonable estimate thereof, of materials paid for as contract estimate items, but not used, shall be considered a reduction of direct costs.
7. Interdepartmental charges for work performed by county or city departments, other than the road or street department, for the benefit of specific construction projects shall be limited to direct costs plus an allocation of indirect costs based upon ten percent of direct labor dollars, excluding employee benefits. Such indirect costs shall be determined by a rate which is readily and properly supportable by the governmental unit's accounting records and shall be the same rate as applied to non-TIB projects; however, this rate shall not exceed the indirect cost allocation rate established by the board. If individual units of government do not have such an internal indirect cost allocation rate, the rate predetermined by the board shall be used in determining the amount of indirect costs includable in the total interdepartmental charges.
8. Other direct costs incurred for materials or services acquired for a specific project shall be eligible for participation by TIB funds and may include, but shall not be limited to, such items as:
 - a. Telephone charges;
 - b. Reproduction and photogrammetry costs;
 - c. Computer usage;
 - d. Printing and advertising.

Indirect costs

Indirect costs incurred by an agency for common or joint objectives which include an authorized TIB funded project, and which are not included in those direct costs set forth and defined in WAC 479-05-190, shall be eligible for TIB fund participation on a particular project at the agency's approved rate, to a maximum of sixty percent if it has been computed based on OMB Circular A-87. If the agency does not have an approved rate, the rate shall not exceed ten percent of direct labor costs.

Expenditure schedule of TIB funds

Each eligible agency having an approved project shall, when requested by the director, submit an updated schedule of its estimated demand for TIB funds to the TIB. This schedule shall be on forms provided by the TIB and shall include the estimated demand for TIB funds at least biannually until project completion.

Such estimates shall be differentiated between the design engineering, right of way and construction stages of project development.

Additional information pertaining to estimated demands for TIB funds by eligible agencies may be requested by the director as required to permit adequate funding of the programs.



Design Phase

Value engineering study requirements

For urban funding programs, a VE study is required for all projects exceeding two million dollars in total cost or any project determined by TIB staff to warrant a VE study. Projects in the Small City Program or City Hardship Assistance Program do not require a VE study unless TIB staff determines there is a need for a study. Projects may be exempted from the VE study requirement by the Executive Director if the project:

- Was selected and funded for the construction phase only.
- The project has less than a 20 percent TIB match in the total eligible project cost.

If the lead agency requests a waiver from the VE requirement, the agency shall submit a VE assessment report to be reviewed by TIB staff. This report will address the project characteristics, cost per mile, potential savings of high cost items, and other considerations unique to the project. Staff will review the VE assessment report and, from that review, develop a recommendation as to whether a VE study should be performed. The Executive Director shall have the authority to grant VE waivers for projects with a total cost not exceeding five million dollars. Projects exceeding five million dollars will be reviewed and submitted to the Board for action on the waiver request. If a TIB project is a part of a WSDOT facility, the WSDOT determination regarding the need for a Value Engineering Study will be accepted by TIB.

If a VE study is required, an interagency team will be established and approved by the TIB Director, under the authority delegated from the Board.

Acquisition of rights of way

Reimbursement of right of way acquisition costs are eligible within the design phase of the project. The Board has adopted the following policy regarding Right-of-Way acquisition on TIB funded projects:

1. TIB funds derived from Motor Vehicle Fuel Taxes may be used only for roadway purposes under the 18th Amendment to the Washington State Constitution.
2. Right-of-way shall be acquired in accordance with RCW Chapter 8.26 and WAC Chapter 468-100, "Uniform Relocation Assistance and Real Property Acquisition."
3. Right-of-way acquisition costs incurred after Design Approval are eligible project costs for reimbursement by TIB.
4. Right-of-way acquisition should be completed and certified at the time of Construction Prospectus Approval. If all right-of-way cannot be certified at this time, the local agency must have "Possession and Use" agreements for the remaining parcels. Eligible costs of these parcels will be limited to the final settlement amount for just compensation, or, if a condemnation action is filed and the matter proceeds to trial, the lesser of the pre-trial statement of just compensation as provided in RCW 8.25.010 or the court determined amount. The total amount of right-of-way costs eligible for reimbursement on all parcels within the project shall not exceed the amount set forth for right-of-way costs in the Construction Prospectus.
5. Property acquired as an uneconomic remnant as defined by WAC Chapter 468-100, "Uniform Relocation Assistance and Real Property Acquisition," may be



taken as right-of-way or as fee title. The remnant parcel shall not be eligible for reimbursement by TIB. The value of the remnant parcel shall be considered to be the same square foot value as the entire purchase.

6. When the balance of a parcel beyond the amount of property required for the proposed roadway improvement is purchased, and that remaining parcel is not considered an uneconomic remnant, then the ownership must be taken as fee title. The cost of the balance parcel is not eligible for reimbursement by TIB. The value of the balance parcel shall be established by a formal "after construction" appraisal. This value shall be deducted from the total cost of the entire right-of-way plus fee title purchase with the remaining cost being eligible for reimbursement by TIB.
7. For projects with donated right-of-way that will be counted as part of the local match, the value of the donated right-of-way shall be determined by a "fair market value" appraisal with the date of valuation being the date of the donation.
8. In the event a project does not proceed to construction, all TIB funds expended for the purchase of right-of-way shall be refunded to the TIB in accordance with WAC 479-05-160. The Board may provide a time period for compliance with this requirement upon written request of the local agency.

Design standards for TIB projects

All TIB funded projects shall be prepared using currently applicable design standards.

Construction Phase

Standard Specifications

The current edition of *the Standard Specifications for Road, Bridge, and Municipal Construction* or equivalent, shall be included in any contract entered into by an agency using TIB funds.

Prospectus submittal

Prospectuses for the construction phase must be received by the twentieth day of the month preceding the month in which construction project authorization is proposed unless the director approves a later receipt date.

Procedures for project approval

The proposed project scope shall include improvements that will address or mitigate the items for which the project was selected. The board may evaluate the project scope and reduce the project scope if the scope exceeds that which is necessary to address or mitigate items.

The following factors relative to each project, in addition to other factors required by law, shall be evaluated:

1. Each project shall be evaluated on the availability and source of matching funds.
2. Construction prospectuses for projects previously approved for design and right of way funding by the board shall be required to be accompanied by the following



information demonstrating the readiness of the project to be placed under contract for construction.

- a. A certification from the legislative body or other designated responsible official, of the administering agency, that an environmental impact analysis has been conducted and an environmental impact statement including the conformity with the state and Federal Clean Air Acts or negative declaration of environmental impact, as appropriate, has been circulated pursuant to chapter 43.21C RCW, and that the results have been utilized in arriving at the decisions reflected in the prospectus for the construction project.
- b. A certification that all right of way required for the project is available or if right of way remains to be acquired that the agency has obtained a possession and use agreement on the parcels in question.
- c. A certification from the legislative body that the project is completely designed and ready to be advertised for bids.
- d. The date the project will be advertised for bids.
- e. Each construction project prospectus shall identify changes between the scope of work of the proposed project and the work contemplated in the current six-year transportation program or the project application. An explanation and justification for such changes shall also be included.
- f. The board shall consider adjustments to the amount previously requested in accordance with the board's rule on increases in TIB funds.

Methods of construction

All construction by agencies using TIB funds shall be advertised, competitively bid and contracted, except:

1. Utility and railroad relocations and adjustments; and
2. Installation of traffic control devices, if accomplished by the personnel of the agency.

A competitive bid is not required for projects which meet the requirements of chapters 35.22, 35.23, 35.27, and 36.77 RCW.

Arterial Improvement Program

The intent of the Arterial Improvement Program is to improve mobility and safety while supporting an environment essential to the quality of life of the citizens of Washington state. Eligible agencies are counties with urban areas, cities and towns within an urban area, and cities with a population of five thousand or greater.

Priority criteria for Arterial Improvement Program projects

The TIB shall evaluate the proposed arterial improvement projects by utilizing the following criteria to prioritize projects.

1. Safety, improvements to reduce accidents;
2. Mobility, improvements to increase mobility;
3. Structural condition of the roadway, improvements to the roadway surface;
4. Roadway widths, improvements to widen substandard lanes and shoulders and adding sidewalks;



5. Multimodal, improvements for a variety of transportation modes such as transit, bicycle, trucks, etc.;
6. Project cost, improvements with lower cost in relationship to traffic and length;
7. Other, consideration given to agencies that show initiative to improve their local transportation system in various ways.

Establishing regions for Arterial Improvement Program

For the purpose of apportioning Arterial Improvement Program funds, the counties of the state are grouped within five regions of the state as follows:

1. Northeast region shall include eligible agencies within the counties of Adams, Chelan, Douglas, Ferry, Grant, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman.
2. Southeast region shall include eligible agencies within the counties of Asotin, Benton, Columbia, Franklin, Garfield, Kittitas, Klickitat, Walla Walla, and Yakima.
3. Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.
4. Northwest region shall include eligible agencies within the counties of Clallam, Island, Jefferson, Kitsap, San Juan, Skagit, and Whatcom.
5. Southwest shall include eligible agencies within the counties of Clark, Cowlitz, Grays Harbor, Lewis, Mason, Pacific, Skamania, Thurston, and Wahkiakum.

Apportionment of funds to Arterial Improvement Program regions

Funds are distributed in the following manner:

1. One-third of the ratio shall be the population the urban areas of each region bears to the total population of all urban areas of the state as last determined by the office of financial management;
2. One-third of the ratio shall be the vehicle to mile ratio traveled on the classified arterial system within the urban areas of each region, compared to the total vehicle to mile ratio traveled on all classified urban arterial systems;
3. One-third of the ratio shall be an actual or historical indicator of needs within the region as determined by the board.

The distribution of funds within each region shall be administered so as to permit complete Arterial Improvement Program projects in each arterial classification to be authorized and funded.

Eligible Arterial Improvement Program projects

Eligible projects are:

1. Improvements on federally classified urban arterials;
2. Improvement involving state highway and transit when they are part of a joint project with eligible agencies;
3. Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;
4. Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or
5. Projects that have definite urban characteristics as defined by local comprehensive plans.



6. Within the corporate limits of cities with a population of 5,000 or greater.

Matching ratios for Arterial Improvement Program projects

TIB funds for local agency arterial projects shall be matched in accordance with the following scheduled percentage of the total project cost.

- City with a population less than 10,000 or a county with a population less than 70,000 - 10% match.
- City with a population from 10,000 to 14,999 or a county with a population from 70,000 to 210,000 - 15% match.
- City with a population from 15,000 and up or a county with a population over 210,000 - 20% match.

Small City Program

The intent of the Small City Program is to preserve and improve the roadway system in a manner that is consistent with local needs. An eligible agency is a city or town that has a population less than five thousand.

Priority criteria for Small City Program projects

The board will use the following criteria to prioritize proposed small city account projects:

1. Structural ability to carry loads (pavement condition);
2. Roadway width;
3. Safety; and
4. Other factors: Criteria deemed appropriate by the board on a case-by-case basis.

Establishing regions for Small City Program

For the purpose of apportioning urban arterial trust account funds to the Small City Program, the counties of the state are grouped within three regions as follows:

- East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.
- Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.
- West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

Apportionment of funds to Small City Program regions

Of the funds obligated to the Small City Program, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.



Eligible Small City Program projects

Incorporated areas outside federal designated urban areas shall be required to identify their streets as either arterials or local access. An arterial shall be defined by at least one of the following standards:

1. Serves as the logical extension of a county arterial into the corporate boundary;
or
2. Serves as a route connecting local (traffic) generators such as schools, medical facilities, social centers, recreational areas, commercial centers, or industrial sites within the corporate boundary; or
3. Acts as a bypass or truck route to relieve the central core area.

Streets failing to qualify under these standards for arterials are not eligible for small city program funds.

Matching requirements for Small City Program projects

There will be no local agency matching requirements for cities with a population of five hundred or less. Those agencies with a population over five hundred must provide a minimum local match of five percent.

Increases in Small City Program projects

An increase in the amount of Small City Program funds for a project may be requested in accordance with the provisions of WAC 479-05-250, except, where in the board's judgment at project completion, ten percent of unexpected project costs would create an undue financial burden on the agency, the board may elect to fund all or a portion of the unexpected cost.

City Hardship Assistance Program

RCW 47.26.164 provides that the TIB shall adopt reasonable rules necessary to implement the City Hardship Assistance Program as recommended by the road jurisdiction study. A listing of the roadways eligible for City Hardship Assistance Program funding is included in WAC 479-12-340.

Priority criteria

The board will use the following criteria to prioritize proposed City Hardship Assistance Program projects:

1. Structural ability to carry loads (pavement condition);
2. Deterioration rate for the roadway;
3. Safety; and
4. Other factors:
 - a. Relationship to other local agency projects;
 - b. Extent of previous participation in the program; and
 - c. Other criteria deemed appropriate by the board on a case-by-case basis.

Eligible agencies or streets

Agencies eligible for City Hardship Assistance Program funds are:

1. Only those cities with a net gain in cost responsibility due to jurisdictional



transfers in RCW 47.26.164, which have a population of fifteen thousand or less may participate;

2. The board is authorized to allocate funds from the City Hardship Assistance Program to cities with a population under twenty thousand to offset extraordinary costs associated with the transfer of roadways other than pursuant to RCW 47.26.164, that occur after January 1, 1991.

Matching ratios

There is no local agency match requirement for City Hardship Assistance Program funded projects.

Allowable activities

Unless otherwise approved by the board, City Hardship Assistance Program funding shall be limited to the direct and attributable indirect costs associated with rehabilitation activities on the eligible project. City Hardship Assistance Program funds cannot be used for landscaping, additional lanes, or turn lanes.

City Hardship Assistance Program participation with other funds

City Hardship Assistance Program funds may be used to fund rehabilitation work associated with the widening of the section of roadway but participation will be limited to the minimum standard or existing lane and shoulder widths. City Hardship Assistance Program funds will be considered local agency funds if they are used in other TIB funded projects.

Pedestrian Safety and Mobility Program

The intent of this program is to enhance and promote pedestrian safety and mobility as a viable transportation choice by providing funding for pedestrian projects that provide access and address system continuity and connectivity of pedestrian facilities.

Priority criteria

The board will use the following criteria to prioritize proposed pedestrian safety and mobility projects:

1. Pedestrian safety;
2. Pedestrian access; and
3. Local Support.

Establishing regions for the Pedestrian Safety and Mobility Program

For the purpose of apportioning urban arterial trust account funds to the Pedestrian Safety and Mobility Program, the counties of the state are grouped within three regions as follows:

1. East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.
2. Puget Sound region shall include eligible agencies within the counties of King,



Pierce, and Snohomish.

3. West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

Apportionment of funds to Pedestrian Safety and Mobility Program regions

Of the funds obligated to pedestrian safety and mobility projects within urban areas, forty percent will be allocated to projects on a statewide basis and then, at least fifteen percent will be allocated to projects in the east region, at least fifteen percent to projects in the west region, and approximately thirty percent to projects in the Puget Sound region.

Of the funds obligated to pedestrian safety and mobility projects within small cities, the amount apportioned to projects in a region will be within plus or minus five percent of the ratio which the population of cities under five thousand in a region bears to the statewide population for cities under five thousand as last determined by the office of financial management.

Eligible Pedestrian Safety and Mobility Program projects

Minimum project requirements are:

1. An urban pedestrian safety and mobility project must be on a pedestrian route with linkages to a functionally classified route. Small city pedestrian safety and mobility projects must be on or related to a street on the board approved arterial system;
2. Primary purpose of the project is transportation;
3. Urban agency matching funds cannot be less than twenty-percent;
4. For small city pedestrian safety and mobility project there will be no local agency matching requirements for cities with a population of five hundred or less. For those agencies with a population over five hundred, but less than five thousand, there will be a minimum local match requirement of five-percent;
5. This program will not participate in the cost of right of way acquisition;
6. Maximum TIB participation for a project is specified by the board;
7. No increases are given on urban projects; and
8. All projects must be completed within two years of board selection.

Transportation Partnership Program

The intent of the program is to improve mobility of people and goods in Washington state by supporting economic development and environmentally responsive solutions to our statewide transportation system needs. Eligible agencies are counties that have an urban area, all cities with a population of five thousand or more, and transportation benefit districts.

Priority criteria

The following criteria shall be utilized by the TIB to prioritize projects:

1. The percentage of agency(ies) and private matching funds.
2. Multimodal solutions for projects including, but not limited to, transit, high occupancy vehicle (HOV) lanes, ferry, high capacity transit/rail, or intermodal



facility.

3. Economic development aspects.
4. Multi-agency involvement in projects.
5. Mobility enhancement by betterment of service level.
6. Improvements necessitated by existing or foreseeable congestion or safety problems due to economic development or growth.
7. Other considerations demonstrating improvement of the local transportation system such as traffic demand management or local transportation funding.

Establishing regions for the Transportation Partnership Program

For the purpose of apportioning TIA funds to the Transportation Partnership Program, the counties of the state are grouped within three regions of the state as follows:

1. East region shall include eligible agencies within the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima.
2. Puget Sound region shall include eligible agencies within the counties of King, Pierce, and Snohomish.
3. West region shall include eligible agencies within the counties of Clallam, Clark, Cowlitz, Grays Harbor, Island, Jefferson, Kitsap, Lewis, Mason, Pacific, San Juan, Skagit, Skamania, Thurston, Wahkiakum, and Whatcom.

Apportionment of funds to Transportation Partnership Program regions

Of the funds in the program, forty percent will be allocated to projects on a statewide basis and then, at least fifteen percent will be allocated to projects in the East region, at least fifteen percent to projects in the West region, and approximately thirty percent to projects in the Puget Sound region.

Regionally significant transportation projects submitted for funding by the TIB and approved by the legislature are exempt from the regional distribution formula.

Eligible Transportation Partnership Program projects

Eligible projects are:

1. Improvements on federally classified arterials;
2. Improvement involving state highway and transit when they are part of a joint project with eligible agencies;
3. Within the urban growth area in counties which are in full compliance with Washington state's Growth Management Act;
4. Within the Federal Aid Urban Boundary for those counties that are in the process, but have not formally adopted urban growth areas; or
5. Projects which have definite urban characteristics as defined by local comprehensive plans.

Designation of lead agency

The agencies involved in a multi-agency Transportation Partnership Program project shall designate one agency as the lead agency. The lead agency must be a city, county,



or transportation benefit district.

Verification of coordination with planning authority

All applications for Transportation Partnership Program funding shall be consistent with the regional transportation plan. In areas of the state where there is no regional transportation planning authority, a letter of verification shall be signed by the mayor or chair of the lead agency legislative authority.

Planning requirements for multi-agency projects

The board requires joint planning for all Transportation Partnership Program funded multi-agency projects. The lead agency shall submit documentation to the board stating that the approving authority of each agency involved in the project has indicated support for the project. In the case of projects that stop at or near a corporate boundary or could affect other transportation agencies' facilities or programs, a copy of a letter requesting review by other affected agencies shall accompany the project application.

Local/private matching funds

Transportation partnership program funds for urban program projects authorized by the board shall be matched by an amount not less than twenty percent of the total cost of the transportation project. Matching funds will be considered to be all contributions other than those provided by the board.

Certification of local/private matching funds

Within one year after board approval of a prospectus for funding and before any Transportation Partnership Program funds are committed to the project, each agency with an interest in the Transportation Partnership Program project shall provide written certification to the board of the pledged percentage of local and/or private funding. Funds allocated to an applicant that does not certify funding within one year after approval may be reallocated by the board.